REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

May 11, 2009

Docket No. 03004001 License No. 10-06772-01
Control No. 141118

Paul D. Simpson
Radiation Safety Officer
U.S. Department of Health & Human Services
Centers for Disease Control & Prevention
1600 Clifton Road, NE
Atlanta, GA 30333-4018

SUBJECT: U.S. DEPARTMENT OF HEALTH & HUMAN SERVICES, REQUEST FOR ADDITIONAL INFORMATION CONCERNING FINANCIAL ASSURANCE DOCUMENTS, CONTROL NO. 141118

Dear Mr. Simpson:

This is in reference to your letter dated April 16, 2009 providing financial assurance for decommissioning for Nuclear Regulatory Commission License No. 10-06772-01. In order to continue our review, we need the following additional information:

1. You stated that the authority of Dr. Martin Sanders to sign the Statement of Intent was established by CDC 0.1267 (E), Certification of Fund Availability. The guidance in NUREG-1757, Volume 3, Section A.16.3, states that the authority should originate in a statute. Please provide how the CDC 0.1267 (E) originates in a statute for the person authorize the financial assurance.

   Please note that the previous Statement of Intent dated February 16, 2007, used Section I.B Financial Management of the CDC Delegations of Authority Handbook, which referred to U.S.C. Sections 2357 and 1535.

2. The Certification of Financial Assurance incorrectly stated the amount of material as atomic number 3-83 instead of the licensed material as atomic number 1-83. Please correct this error.

Current NRC regulations and guidance are included on the NRC's website at www.nrc.gov; select **Nuclear Materials; Medical, Academic, and Industrial Uses of Nuclear Material;** then **Regulations, Guidance, and Communications.** You may also obtain these documents by contacting the Government Printing Office (GPO) toll-free at 1-866-512-1800. The GPO is open from 7:00 a.m. to 6:30 p.m. EST, Monday through Friday (except Federal holidays).

We will continue our review upon receipt of this information. Please reply to my attention at the Region I Office and refer to Mail Control No. 141118. If you have any technical questions regarding this deficiency letter, please call me at (610) 337-5366.

Sincerely,

Original signed by Dennis R. Lawyer

Dennis R. Lawyer
Health Physicist
Commercial and R&D Branch
Division of Nuclear Materials Safety

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SUNSI Review Complete: DLawyer

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